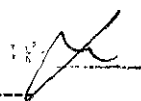


12 FEB 27 1:55

P.S. Res. No. 729



Introduced by Senator Antonio "Sonny" F. Trillanes IV

RESOLUTION

EXPRESSING THE OPINION OF THE SENATE PURSUANT TO SECTION 10 OF REPUBLIC ACT NO. 6713 OTHERWISE KNOWN AS THE *CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS* ON THE PROPER INTERPRETATION OF THE PROVISIONS OF THE LAW ON STATEMENTS AND DISCLOSURES UNDER SECTION 8 THEREOF AND URGING THE CIVIL SERVICE COMMISSION (CSC) TO DEFER THE IMPLEMENTATION OF CSC RESOLUTION NO. 1100902 WHICH WAS ADOPTED TO IMPLEMENT THE USE OF THE REVISED STATEMENT OF ASSETS, LIABILITIES AND NETWORTH (SALN) FORM FOR THE YEAR 2011 ONWARDS.

WHEREAS, Sen. Aquilino "Koko" L. Pimentel III filed PS Resolution No. 710 on 09 February 2012 seeking to direct the Senate Committee on Civil Service and Government Reorganization (Committee) to inquire, in aid of legislation, on whether or not the new form for the Statement of Assets, Liabilities and Net Worth (New SALN Form) prescribed by the Civil Service Commission (CSC) pursuant to CSC Resolution No. 1100902 for use beginning Year 2011 conforms to the law;

WHEREAS, in the public hearing conducted by the Committee on 23 February 2012 pursuant to PSR No. 710¹, all of the members of the Senate who attended, particularly Senate President Juan Ponce Enrile, Sen. Vicente C. Sotto III, Sen. Panfilo "Ping" Lacson, including the Chairman of the Committee, Sen. Antonio "Sonny" F. Trillanes IV, raised issue regarding the New SALN Form being prescribed by the CSC under CSC Resolution No. 1100902 on the grounds of its possible constitutional infirmity, illegality and/or impracticality;

WHEREAS, the representatives of the Philippine Government Employees Association (PGEA) who attended the public hearing confirmed that no consultation was conducted by the CSC regarding the implementation of the New SALN Form. Furthermore, PGEA in its Position Paper expressed its grave concern regarding the New SALN Form, pointing out that: "*[M]ajority of the government workers are not equipped with sufficient knowledge on how to properly accomplish the form*";

WHEREAS, Section 52 (B)(8), Rule IV of the Uniform Rules on Administrative Cases in the Civil Service imposes severe penalties on the non-filing or erroneous filing of the SALN, ranging from suspension for one (1) to six (6) months for the first offense, and dismissal from the service for the second offense, on top of possible criminal liability for perjury;

¹ Held at the Embassy Ball Room A, 2nd Floor, Traders Hotel, Roxas Boulevard, Manila on 23 February 2012 at 9:00 a.m.

WHEREAS, Section 10 of Republic Act No. 6713 otherwise known *Code of Conduct and Ethical Standards for Public Officials* expressly provides that: “*xxx the designated Committees of both Houses of Congress shall have the power within their respective jurisdiction, to render any opinion interpreting this Act, in writing, to persons covered by this Act, subject in each instance to the approval by the affirmative vote of the majority of the particular House concerned*”;

WHEREAS, the members of the Committee and other members of the Senate share the opinion that the existing SALN Form sufficiently complies with the requirements of the Constitution and existing laws on statement of assets and liabilities and financial disclosures; and

WHEREAS, it is the considered view of majority of the members of the Senate that the implementation of the New SALN Form adopted by the CSC under CSC Resolution No. 1100902 would cause undue misunderstanding and confusion and constitutes an unnecessary burden among the more than one million public officials and employees who are required to file their SALN on before April 31, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Senate, to express its considered opinion that the existing SALN Form sufficiently complies with the requirements of the Constitution and existing laws on statement of assets and liabilities and financial disclosures; and

RESOLVED FURTHER, to urge the Civil Service Commission, through its Chairman, the Hon. Francisco T. Duque III, to defer the implementation of CSC Resolution No. 1100902 requiring the use of the New SALN Form until the issues regarding the possible constitutional infirmity, illegality and/or impracticality of the same shall have been threshed out and properly addressed.

Adopted,



ANTONIO “SONNY” F. TRILLANES IV